

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

UTICA MUTUAL INSURANCE GROUP, *
Plaintiff *
vs. * CIVIL ACTION
* NO. 04-12198-REK
JOSEPHINE PREZIOSO, d/b/a JOSIE'S PIZZA, *
Defendant *

ASSENTED TO
PLAINTIFF'S MOTION TO AMEND ITS COMPLAINT


Plaintiff, Utica Mutual Insurance Company ("Utica"), moves this Court pursuant to Fed. R. Civ. P. 15(a) for leave of court to amend its complaint. Specifically, Utica seeks to add Exxon Mobil Corporation as a Defendant for liability under M.G.L., c. 21E. In support of its motion for leave to amend, Utica submits that Exxon Mobil Corporation f/k/a Exxon Corporation owned and operated a gasoline filling station at the property, which is the subject of this lawsuit, to approximately 1980. In 1974, Exxon Corporation removed two underground storage tanks in the area that is allegedly contaminated. An original of the Amended Complaint is filed herewith, and the Plaintiff requests it be docketed upon allowance of the within motion.

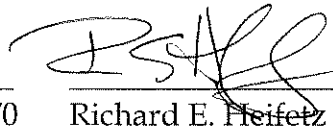
Respectfully submitted,

UTICA NATIONAL INSURANCE GROUP,
Defendant

THIS MOTION IS HEREBY
ASSENTED TO BY:

By Its Attorney:


Arthur P. Kreiger BBO #279870
Andersen & Kreiger, LLP
47 Thorndike Street
Cambridge, MA 02141
617-252-6575
ATTORNEY FOR THE DEFENDANT


Richard E. Heifetz BBO #229000
Danielle M. Maloney BBO #647527
TUCKER, HEIFETZ & SALTZMAN, LLP
Three School Street
Boston, MA 02108
617-557-9696 FAX 617-227-9191
Dated: June 1, 2005